

MEMORANDUM

Department of Budget and Finance

To: Robert Rawls, Interim Town Administrator

From: Chris Wallace, Director of Budget and Finance

Date: April 16, 1999

Subject: Roadway Assessment

Attached are proposed Resolutions with regard to the Town of Davie roadway assessment. Below is a short summary of the requests made by the parcel owners.

Parcel Owner: Joseph Danielle/4126 Inc.
Parcel 35A, Folio No. 0125-01-018-2

Request: The parcel owner requests payment of the roadway assessment in 60 consecutive monthly payments.

The parcel owner was not a party Plaintiff in the litigation pending in Broward County Circuit Court as Case No. 93-12985 CACE (02), styled Ralph Sessa, et al., Plaintiffs v. Town of Davie, etc., Defendant. The parcel owner is the owner of Parcel 35A, Folio No. 0125-01-018-2. Parcel 35A, Folio No. 0125-01-018-2 is 1.26 acres. The special road and drainage assessment lien on 1.26 acres is \$4,941.47. The parcel owner has agreed to the payment of the special assessment and all accrued interest. The proposed Resolution recommends a grant of the parcel owner's request for a monthly payment plan.

If you have any questions or need additional information about this resolution, please give me a call.

RESOLUTION NO. R-99-

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA,
AUTHORIZING MONTHLY PAYMENTS OF THE SPECIAL
ROAD AND DRAINAGE ASSESSMENT LIEN UPON PARCEL
35A; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town imposed a Special Assessment for road and drainage improvements by Resolution R-91-65; and

WHEREAS, the original special road and drainage assessment lien on Parcel 35A contained Folio Nos. 0125-01-018-1 and 0125-01-018-2; and

WHEREAS, as part of the assessment, Parcel 35A was assessed the sum of \$8,627.96; and

WHEREAS, the acreage of Parcel 35A, Folio No. 0125-01-018-2, is 1.26 acres; and

WHEREAS, the special road and drainage assessment on 1.26 acres is \$4,941.47; and

WHEREAS, interest on the amount due and claimed by the Town on Parcel 35A, Folio No. 1025-01-018-2 is \$2,946.46, up to and including April 21, 1999 (per diem \$1.72); and

WHEREAS, the parcel owner, 4126 Inc., has agreed to the payment of the assessment and all accrued interest; and

WHEREAS, the parcel owner, 4126 Inc., has requested to pay the special assessment amount on Parcel 35A, Folio No. 0125-01-018-2, in sixty (60) consecutive monthly payments at a rate of 8% simple interest with no prepayment penalty; and

WHEREAS, it is deemed in the best interest of the Town to accept the offer in full settlement of the lien.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That 4126 Inc. is authorized to pay the special assessment amount on Parcel 35A, Folio No. 0125-01-018-2 in sixty (60) consecutive monthly payments at a rate of 8% simple interest with no prepayment penalty commencing May 1, 1999.

SECTION 2. That 4126 Inc. owes to the Town of Davie the special assessment base amount of \$4,941.47 together with accrued interest on Parcel 35A, Folio No. 0125-01-018-2.

SECTION 3. That upon payment to the Town of Davie of the sums referred to above in cleared funds, the special assessment lien on Parcel 35A, Folio No. 0125-01-018-2, shall be deemed satisfied.

SECTION 4. That in the event the parcel owner fails to comply with the payment schedule in Section 1, the Town of Davie is authorized to pursue any and all available legal remedies to collect the amounts due in Section 2, plus any and all accrued interest, less any payments made.

SECTION 5. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 1999.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 1999.